

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 4:09 CR 475
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
JABBAR D. SPIRES,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
Defendant)	<u>REFERRAL TO U. S. PROBATION</u>
)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge George J. Limbert, regarding the change of plea hearing of Jabbar D. Spires, which was referred to the Magistrate Judge with the consent of the parties.

On November 4, 2009, the government filed a one-count Indictment, charging Defendant, Jabbar D. Spires, with Felon in Possession of Firearm in violation of Title 18 United States Code, Section 922(g)(1). Defendant Spires was arraigned on November 18, 2009, and entered a plea of not guilty to count 1 before Magistrate George J. Limbert. On January 5, 2010, Magistrate Judge George J. Limbert, received Defendant Spires' plea of guilty to count 1 of the Indictment and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Jabbar D. Spires is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Spires is adjudged guilty to Count 1 of the Indictment, in violation of Title 18 United States Code, Section 922(g)(1). This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on April 6, 2010, at 1:00 p.m. in Courtroom 17-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

January 29, 2009